

**REMARKS**

Claims 1-30 are pending in the application. Claims 1-30 stand rejected.

Claim 2 has been cancelled herein.

Figure 1 is objected to as requiring the legend of prior art. Application submits Fig. 1 should not be deemed prior art since the figure was created by applicant to assist in explaining this invention. For example Fig. 1 describes the principle of a communication apparatus according to the present invention in the specification page 6, line 11-13.

The independent claims 1, 11, and 21 have been amended to clarify the claimed invention. The amendment is supported in the specification, for example the description p. 10, lines 7-15, and Figs. 4(A), 4(B) and 4(C). No new matter is entered.

The frames controlling means recited in claims 1, 11 and 21 integrates speech frames and/or data frames into integrated frames and performs routing control of the speech frames, data frames, and integrated frames.

The integrated frame allows the speech frame therein to occupy as much bandwidth as required, and the rest of the bandwidth is assigned to the data frame. The data frame contains a plurality of packets to each of which QOS priority is set.

Claims 1-4, 6-8, 11-14, 16-18, 21-24, and 26-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Jurkevich et al. (5,164,938) (Jurkevich).

The Office Action points to col. 4, lines 33-43 to show allocation of different priorities to different traffic types. However Jurkevich fails to describe or suggest integrating speech frames and/or data frames into integrated frames and performs routing control of the speech frames, data frames, and integrated frames. Applicant's claim further describes: the integrated frame allowing the speech frame therein to occupy as much bandwidth as required while assigning the remaining bandwidth to the data frame, the data frame containing a plurality of packets to each of which QOS priority is set.

It is respectfully submitted the prior art fails to teach applicant's claimed features and the rejection should be withdrawn.

Claims 5, 15, and 25 are rejected as previously, under 35 USC 103 as being unpatentable over Jurkevich in view of Tanaka et al. (6,070,201) and claims 9, 19-20, 29-30 are rejected as previously under 35 USC 103 as being unpatentable over Jurkevich et al. in view of Turner et al. (6,438,137).

Jurkevich in combination with Turner or Tanaka fails to disclose the above structure of integrated frames created by the frame controlling means. Because the combination of references fail to teach or suggest every claimed feature the rejection should be withdrawn.

Claims 1-30 are rejected under 35 U.S.C. 112, second paragraph. Since claims 1, 11 and 30 have been clarified, it is respectfully requested the rejection be withdrawn.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if the Examiner should consider this application not to be in condition for allowance, the Examiner is invited to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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